

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1 and 8 are currently pending. Claims 1 and 8 have been amended; and Claims 2-7 and 9-14 have been canceled without prejudice by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1, 2, 5, 6, 8, 9, 12, and 13 were rejected under 35 U.S.C. § 102(e) as anticipated by or, in the alternative under 35 U.S.C. § 103(a) as obvious over European Patent Application No. EP 1249955 to Sudo (hereinafter the '955 application"); Claims 3 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the '955 application in view of U.S. Patent Application Publication No. 2004/0037214 to Blasco Claret et al. (hereinafter "the '214 application"); Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the '955 application in view of U.S. Patent Application Publication No. 2002/0172160 to Moulsley (hereinafter "the '160 application"); and Claims 4 and 11 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.¹

Applicants respectfully submit that the rejections of the claims under 35 U.S.C. § 102 and § 103 are rendered moot by the present cancellation of Claims 2-7 and 9-13. Moreover, Applicants note that Claim 1 has been amended to incorporate the limitations of Claims 3 and 4, while Claim 8 has been amended to incorporate the limitations of Claims 10 and 11.

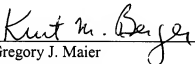
¹ Applicants note that while Claim 3 was rejected based on the combined teachings of the '955 and '214 applications, Claim 5, which depends Claim 3, was only rejected based on the teachings of the '955 application. The same holds true for Claims 10 and 12. Applicants note that this is an obvious error. Moreover, Applicants note that while the Summary section of the Office Action indicates that Claims 4 and 11 were objected to, the detailed Office Action does not specifically state that those claims would be allowable, but Applicants have assumed that this is the case.

Accordingly, based on the indicated allowability of Claims 4 and 11, Applicants respectfully submit that Claims 1 and 8 are in condition for allowance.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Kurt M. Berger, Ph.D.
Registration No. 51,461